

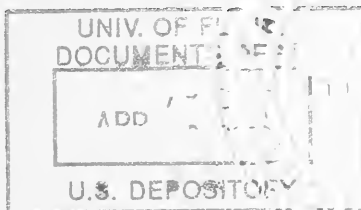
NATIONAL RECOVERY ADMINISTRATION

**AMENDMENT TO
CODE OF FAIR COMPETITION**

FOR THE

**MACHINERY AND
ALLIED PRODUCTS INDUSTRY**

AS APPROVED ON NOVEMBER 14, 1934



**UNITED STATES
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Approved Code No. 347—Amendment No. 6

AMENDMENT TO CODE OF FAIR COMPETITION

FOR THE

MACHINERY AND ALLIED PRODUCTS INDUSTRY

As Approved on November 14, 1934

ORDER

APPROVING AMENDMENT OF CODE OF FAIR COMPETITION FOR THE
MACHINERY AND ALLIED PRODUCTS INDUSTRY

An application having been duly made pursuant to and in full compliance with the provisions of Title I of the National Industrial Recovery Act, approved June 16, 1933, for approval of an amendment to a Code of Fair Competition for the Machinery and Allied Products Industry, and hearings having been duly held thereon and the annexed report on said amendment, containing findings with respect thereto, having been made and directed to the President:

NOW, THEREFORE, on behalf of the President of the United States, the National Industrial Recovery Board, pursuant to authority vested in it by Executive orders of the President, including Executive Order No. 6859, dated September 27, 1934, and otherwise; does hereby incorporate, by reference, said annexed report and does find that said amendment and the Code as constituted after being amended comply in all respects with the pertinent provisions and will promote the policy and purposes of said Title of said Act, and does hereby order that said amendment be and it is hereby approved, and that the previous approval of said Code is hereby amended to include an approval of said Code in its entirety as amended.

NATIONAL INDUSTRIAL RECOVERY BOARD,
By W. A. HARRIMAN,
Administrative Officer.

Approval recommended:

BARTON W. MURRAY,
Division Administrator.

WASHINGTON, D. C.,
November 14, 1934.

REPORT TO THE PRESIDENT

THE PRESIDENT,
The White House.

SIR: This is a report on the amendment to the Code of Fair Competition for the Machinery and Allied Products Industry, hearing having been conducted thereon in Washington, September 25, 1934. The amendment, which is attached, was presented by the Basic Code Authority.

The Code for the Machinery and Allied Products Industry provides in Article VII, Section (a) that:

"Upon request of any trade association, organization, or group of employers representative of machinery or allied products not specifically defined in Article II thereof, the Basic Code Authority may make application to the Administrator for amendment of the Code of Fair Competition for Machinery and Allied Products Industry with respect to the definition of the Industry by addition thereto of a specific definition covering such products and, upon approval by the Administrator of said amendment, the employers concerned therewith shall become members of the Industry, and shall be organized by Basic Code Authority into a subdivision, with a Code Authority to be created as provided in Article VI of the Code of Fair Competition for the Machinery and Allied Products Industry. Concurrently with applications for amendment to definition, such group of employers concerned therewith shall make application to the Administrator for a Supplemental Code as provided in Article I of the Code of Fair Competition for the Machinery and Allied Products Industry (applicable solely to such Subdivision and dealing with subjects not provided for by the Code of Fair Competition for the Machinery and Allied Products Industry). Upon approval by the Administrator such Supplemental Code shall be binding on such Subdivision and upon each employer therein."

This amendment provides that Article II of the Code of Fair Competition for the Machinery and Allied Products Industry be amended to include the definition of the Coal Cutting Machine Subdivision.

A Supplemental Code has been filed for this Subdivision and a public hearing has been conducted thereon. The economic effect of including this Subdivision in this Code will be shown when the Supplemental Code is submitted for approval.

FINDINGS

The Assistant Deputy Administrator in his final report to us on said Amendment to said Code having found as herein set forth and on the basis of all the proceedings in this matter:

It is found that:

(a) The Amendment to said Code and the Code as amended are well designed to promote the policies and purposes of Title I of the

National Industrial Recovery Act including the removal of obstructions to the free flow of interstate and foreign commerce which tend to diminish the amount thereof, and will provide for the general welfare by promoting the organization of industry for the purpose of cooperative action of labor and management under adequate governmental sanction and supervision, by eliminating unfair competitive practices, by promoting the fullest possible utilization of the present productive capacity of industries, by avoiding undue restriction of production (except as may be temporarily required), by increasing the consumption of industrial and agricultural products through increasing purchasing power, by reducing and relieving unemployment, by improving standards of labor, and by otherwise rehabilitating industry.

(b) The Code as amended complies in all respects with the pertinent provisions of said Title of said Act, including without limitation Subsection (a) of Section 3, Subsection (a) of Section 7, and Subsection (b) of Section 10 thereof.

(c) The Code empowers the Code Authority to present the aforesaid amendment on behalf of the industry as a whole.

(d) The Amendment and the Code as amended are not designed to and will not permit monopolies or monopolistic practices.

(e) The Amendment and the Code as amended are not designed to and will not eliminate or oppress small enterprises and will not operate to discriminate against them.

(f) Those engaged in other steps of the economic process have not been deprived of the right to be heard prior to approval of said Amendment.

For these reasons, this Amendment has been approved.

For the National Industrial Recovery Board:

W. A. HARRIMAN,
Administrative Officer.

NOVEMBER 14, 1934.

AMENDMENT TO CODE OF FAIR COMPETITION FOR THE MACHINERY AND ALLIED PRODUCTS INDUSTRY

“ARTICLE II—DEFINITIONS”

Add the following additional paragraph as Paragraph 48:

(48) “Coal Mine Loading Machine Subdivision means the manufacturing and/or assembling for sale and selling by the manufacturer and/or assembler, for use in loading coal or other material underground in coal mines, mobile types of loading machines; including spare, repair and replacement parts thereof and supplies and/or equipment incident thereto when manufactured and/or sold by a manufacturer of such mobile types of loading machines.”

Approved Code No. 347—Amendment No. 6.
Registry No. 1399-65.

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